

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF TELECOMMUNICATIONS	)	
SERVICES BY AMERICALL DIAL-O	)	
SERVICES, INC.	)	
	)	CASE NO.
	)	90-001
	)	
ALLEGED VIOLATIONS OF KRS CHAPTER 278	)	

O R D E R

On April 16, 1990, AmeriCall Dial-O Services, Inc. ("Dial-O") filed a motion to strike the April 9, 1990 brief of South Central Bell Telephone Company ("South Central Bell"). In support of its motion, Dial-O contends that the Commission ordered briefs to be filed 20 days from the receipt of the transcript and that South Central Bell did not file its brief within the allocated time and requested no extension of time. Further, Dial-O contends that the brief of South Central Bell contains an unwarranted attack on Dial-O and that the brief is an attempt to mislead the Commission.

On April 18, 1990, South Central Bell responded to Dial-O's motion to strike its brief. South Central Bell asserts that its brief was filed in a timely manner in that at the hearing the Commission ordered the briefs to be filed "20 days, 20 and 10." South Central Bell contends that a reasonable interpretation of that phrase could mean that it would have 20 days to respond to Dial-O's brief. Further, South Central Bell asserts that its

brief was not an attack on Dial-O's integrity, but was responsive to the legal issues concerning the structure of Dial-O and AmeriCall.

The Commission, having been otherwise sufficiently advised and having considered the motion to strike and the response, hereby finds that:


1. South Central Bell reasonably interpreted the Commission's remarks concerning the briefing schedule, and therefore its brief should not be considered untimely.


2. Dial-O's arguments that South Central Bell's brief is inappropriate are not a sufficient basis to strike the brief from the record. The Commission will carefully review the briefs and give an appropriate weight to their consideration.

IT IS THEREFORE ORDERED that Dial-O's motion to strike South Central Bell's brief is hereby denied.

Done at Frankfort, Kentucky, this 4th day of May, 1990.

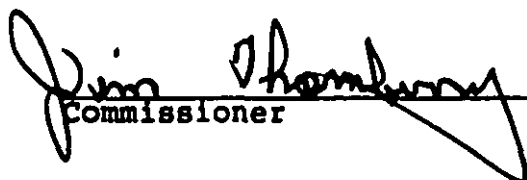
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

ATTEST:

  
Executive Director

  
Commissioner